

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

ROBERT MCGAUGHY

PLAINTIFF

V.

4:05CV01261 SWW/JTR

B. DAVENPORT, Deputy,
Pulaski County Detention Facility, et al.

DEFENDANTS

JUDGMENT

Consistent with the Order that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that this case is DISMISSED, WITHOUT PREJUDICE, for failing to state a claim upon which relief may be granted, and Judgment is entered in favor of Defendants on all claims set forth in this action. Dismissal of this action constitutes a “strike,” as defined by 28 U.S.C. § 1915(g). Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Judgment and the accompanying Order would not be taken in good faith.

Dated this 25th day of October, 2005.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE